

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RONALD LICKTEIG,

Plaintiff,

- against -

CERBERUS CAPITAL MANAGEMENT, L.P.,
COVIS PHARMACEUTICALS, INC., COVIS
MANAGEMENT INVESTORS LLC, COVIS
HOLDINGS, L.P., and DEAN MITCHELL,

Defendants.

Civil Action No. 19-cv-05263-GHW

ECF Case

**DECLARATION OF FRANK T.M. CATALINA IN SUPPORT OF
DEFENDANTS' MOTION TO EXCLUDE THE PROFFERED
EXPERT TESTIMONY OF JEFFREY AMMERMAN**

Pursuant to 28 U.S.C. § 1746, Frank T.M. Catalina, under penalty of perjury, hereby declares as follows:

1. I am an attorney at the law firm of Rolnick Kramer Sadighi LLP, counsel in this matter to Defendants Cerberus Capital Management, L.P. ("Cerberus"), Covis Holdings, L.P. ("Covis Holdings"), Covis Pharmaceuticals, Inc. ("CPI"), and Covis Management Investors LLC ("MIP I" and, collectively with Cerberus, Covis Holdings, and CPI, "Defendants") in the above-captioned action. I submit this declaration in support of Defendants' motion to exclude the proffered expert testimony of Jeffrey Ammerman.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Contribution Agreement between Plaintiff, Covis Management Investors LLC and Covis Holdings, L.P. dated December 22, 2011 and bates stamped LICKTEIG0000545 – LICKTEIG0000559.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Amended and Restated Limited Liability Company Agreement of Covis Management Investors LLC dated December 22, 2011 and bates stamped LICKTEIG0000482 – LICKTEIG0000526.

4. Attached hereto as **Exhibit 3** is a true and correct copy of an email from Ronald Lickteig to Mike Kelly re: Resignation dated May 21, 2014 and bates stamped CPI-SDNY-00004198 – CPI-SDNY-00004214.

5. Attached hereto as **Exhibit 4** is a true and correct copy of an email from Ronald Lickteig to Dean Mitchell re: Put Notice dated June 9, 2014 and bates stamped LICKTEIG0000645 – LICKTEIG0000661.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an email from Dean Mitchell to Ronald Lickteig re: Put Notice dated July 12, 2014 and bates stamped LICKTEIG0000820 – LICKTEIG0000823.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an email from Ronald Lickteig to Dean Mitchell re: Put Notice dated July 22, 2014 and bates stamped LICKTEIG0000848 – LICKTEIG0000850.

8. Attached hereto as **Exhibit 7** is a true and correct copy of an email from Dean Mitchell to Jack Davis re: Indication of Interest dated July 25, 2014 and bates stamped CPI-SDNY-00057714 – CPI-SDNY-00057719.

9. Attached hereto as **Exhibit 8** is a true and correct excerpted copy of the deposition transcript of Jeffrey Ammerman dated February 11, 2021.

10. Attached hereto as **Exhibit 9** is a true and correct excerpted copy of the deposition transcript of Jeffrey Ammerman dated June 30, 2021.

11. Attached hereto as **Exhibit 10** is a true and correct copy of the website profile for Jeffrey Ammerman at Piper Sandler.

12. Attached hereto as **Exhibit 11** is a true and correct copy of an August 1, 2014 PiperJaffray presentation regarding Project Colorado Discussion Materials bates stamped PS005269 – PS005311.

13. Attached hereto as **Exhibit 12** is a true and correct copy of Plaintiff's Disclosure of Non-Retained Expert Witnesses, dated March 15, 2021.

14. Attached hereto as **Exhibit 13** is a true and correct excerpted copy of the deposition transcript of Michael Palmer dated January 25, 2021.

15. Attached hereto as **Exhibit 14** is a true and correct excerpted copy of the deposition transcript of Dean Mitchell dated January 21, 2021.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 16, 2021.

By: 
Frank T.M. Catalina